

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT K. MASON (1),  
(Counts 1, 2, and 4)

and

BRETTA L. NALLEN (2),  
(Counts 3 and 4)

Defendants.

CASE NO. \_\_\_\_\_

JUDGE

2:18 cr 253

INDICTMENT

Judge Sargus

Count 1: 18 U.S.C. §§ 2113(a) & (d)

Count 2: 18 U.S.C. §§ 924(c)(1)(A)(i) & (ii)

Count 3: 18 U.S.C. § 3

Count 4: 18 U.S.C. §§ 1512(k) & (c)(1)

FORFEITURE:

18 U.S.C. § 924(d)

28 U.S.C. § 2461(c)

THE GRAND JURY CHARGES:

COUNT 1  
Bank Robbery

On or about September 26, 2018, in the Southern District of Ohio, the Defendant, **ROBERT K. MASON**, by force, violence and intimidation did take from the person and presence of another, approximately \$12,139 in money belonging to and in the care, custody, control, management and possession of Huntington National Bank, 4550 E. Broad Street, Whitehall, Ohio, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and in committing such offense, the Defendant, **ROBERT K. MASON**, did assault and put in jeopardy the life of another person by the use of a dangerous weapon, that is a firearm.

In violation of 18 U.S.C. §§ 2113(a) and (d).

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**COUNT 2**

**Carrying a Firearm During and in Relation to a Crime of Violence**

On or about September 26, 2018, in the Southern District of Ohio, the Defendant, **ROBERT K. MASON**, did knowingly carry and brandish a firearm, that is, a handgun, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, armed bank robbery in violation of 18 U.S.C. §§ 2113(a) and (d).

**In violation of 18 U.S.C. §§ 924(c)(1)(A)(i) and (ii).**

**COUNT 3**

**Accessory After the Fact**

Beginning on or about September 26, 2018, through on or about November 2, 2018, in the Southern District of Ohio, the Defendant, **BRETTA L. NALLEN**, knowing that an offense against the United States had been committed, to wit, Bank Robbery, did receive, relieve, comfort, and assist the offender, **ROBERT K. MASON**, in order to hinder and prevent the offender's apprehension, trial, and punishment.

**In violation of 18 U.S.C. § 3.**

**COUNT 4**

**Conspiracy to Tamper with Evidence**

Beginning on or about September 26, 2018, through on or about November 1, 2018, in the Southern District of Ohio, the Defendants, **ROBERT K. MASON** and **BRETTA L. NALLEN**, did knowingly, intentionally, and unlawfully combine, conspire, confederate, and agree with each other and others unknown to the Grand Jury to commit an offense against the United States, that is, to corruptly conceal an object, to wit, a firearm, with the intent to impair the object's availability for use in the federal prosecution of **ROBERT K. MASON**.

**In violation of 18 U.S.C. §§ 1512(k) and (c)(1).**

**FORFEITURE COUNT A**

1. The allegations contained in this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures to the United States of America pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c).

2. Upon conviction of any of the offenses alleged this Indictment, the Defendant, **ROBERT K. MASON**, shall forfeit to the United States, in accordance with 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in or used in the above-stated offenses.


**Forfeiture in accordance with 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure.**

**A TRUE BILL.**

\_\_\_\_\_  
s/Foreperson  
**FOREPERSON**

**BENJAMIN C. GLASSMAN**  
**UNITED STATES ATTORNEY**

  
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**DAVID M. DEVILLERS (OH 0059456)**  
Assistant United States Attorney

  
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**S. COURTER SHIMEALL (OH 0090514)**  
Assistant United States Attorney